

## REMARKS

Claims 7-10 are currently pending and were rejected under 35 U.S.C. 102(b) as being anticipated by Shyi. Claims 1-6 were previously cancelled without prejudice.

Claim 7 is amended to include, among other limitations "a first Gray code to binary converter for generating the particular address indicated by the read pointer; a second Gray code to binary converter for generating the another particular address indicated by the write pointer". Examiner has indicated that "Shyi et al. teach that a **first Gray code to binary converter for generating the particular address indicated by the read pointer; and a second Gray code to binary converter for generating the another particular address indicated by the write pointer** [figure 5, 42 shows the binary counters/converters for generating the address associated with the read and write pointer...". Office Action, p. 4, (Emphasis in Original).

Assignee respectfully submits that Shyi, figure 5, 42 merely shows a "Binary Counter", while in contrast, Claim 7 is directed to a "Gray code to binary converter". Although Examiner indicates that "figure 5, 42 shows the binary counters/converters", Assignee respectfully submits that Shyi does not refer to element 42 as a "converter", much less the claimed "Gray code to binary converter". Additionally, it is noted that Shyi does not teach that Binary Counters 42 convert any "Gray code to binary". Accordingly, Assignee respectfully submits that Shyi does not teach or fairly suggest the claimed "a first Gray code to binary converter for generating the particular address indicated by the read pointer; a second Gray code to binary converter for generating the another particular address indicated by the write pointer". For at least the foregoing reasons, Assignee respectfully requests that Examiner withdraw the rejection to claim 7, as well as to dependent claims 8-10.

Assignee has amended claim 9 to include "wherein the first Gray code to binary converter receives the Gray code associated with the read pointer from the first Gray code generator; and wherein the second Gray code to binary converter receives the Gray code associated with the write pointer from the

second Gray code generator". Even if, *arguendo*, "figure 5, 42 [in Shyi] shows the binary counters/converters", it does not teach that the "Gray code to binary converter receives the Gray code" as claimed. See Shyi, Figure 5.

Additionally, claim 10 is added and it is believed that claim 10 is allowable for at least the reasons indicated above.

#### CONCLUSION

Assignee respectfully submits that each of the pending claims are allowable, making the application in a condition for allowance. Examiner is respectfully requested to pass this case to issuance.

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

RESPECTFULLY SUBMITTED,



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